

REMARKS

Claims 8-9 have been rejected under 35 USC 103(a) as unpatentable over Solomon. The rejection is respectfully traversed.

Salomon, as indicated by the Examiner, fails to disclose a first processing unit, second processing unit and third processing unit. Equating these processing units, along with the corresponding elements, with the mode of operation of a FIFO memory principle is incorrect. A FIFO memory, as the skilled artisan will appreciate, functions at a technical level that is far below a processing unit. For example, an HDLC processor can be divided into two halves, namely, the reception side and the transmission side. Each half encompasses a second processing unit and a third processing unit. In the second processing unit, status parameters corresponding to time slots are administered in a second memory unit, and data words from or in a portion of the first memory unit of are read out to the datahold DH, DHS register (or reloaded). See, for example, Figures 6 and 7. Moreover, an allocation of the status parameters takes place in the first memory unit. The data are forwarded to a third processing unit or received by the unit via separate data paths. The data words belonging to a data frame are combined in the third processing unit, a frame processing unit. In addition, address recognition, block backup and additional protocol functions are performed in the third processing unit. In this regard, the invention does not store and call-up data in accordance with the FIFO principle.

Figure 2 of the instant invention shows a transmission frame of a PCM transmission system, such as that used in a data network involving synchronous data transmission. This PCM transmission frame is, for example, 16 bits long and divided into a maximum of 16 time slots or channels. The smallest possible time slot can comprise 1 bit, and the largest 16 bits. The bits of the transmission frame are sequentially numbered from zero to 15. The first time slot TS has a time slot width TSB of 3 bits. The time slots TSB that have been combined into a data transmission channel includes channels 0, 1 and 2. Each time slot TS is identified by the number of the first channel at the beginning of the time slot TS. The first time slot TS is assigned the number of the first bit. In the ensuing second time slot TS, which encompasses channels 3, 4, 5 and 6, the second time slot TS has

the time slot number TS corresponding to the number of the first bit of the second time slot TS. The third and fourth time slots are labeled TS7 and TS8. Based on the combination of time slots or channels described here, complex processing and/or processing organization is needed to guarantee a correct read-out of the current time slot data and provision of the current time slot parameters of the current time slot. In addition to this provision, processor-controlled administrative and provision activities run in the background, making it possible to make the correct allocation of data and time slots possible.

Additionally, the Examiner fails to provide evidentiary support for his reasons why modification of the reference would have been obvious to one having ordinary skill in the art. The Examiner may not make conclusory statements of obviousness without any evidentiary support on the record. See, *In re Sang Su Lee*, 277 F.3d 1338 (Fed. Cir. 2002). Applicant's therefore respectfully request that the rejection be withdrawn or that the Examiner cite a reference in support of his reasons for the modification.

Claims 10 and 11 have been allowed.

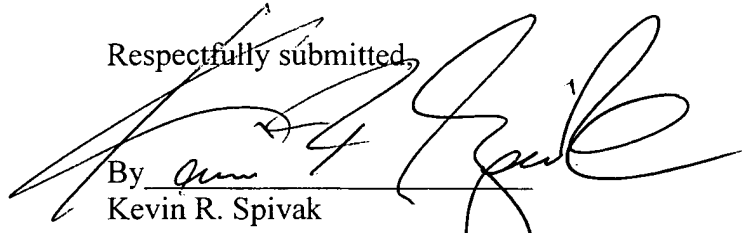
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122031100.

However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 28, 2005

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Kevin R. Spivak, is written over the signature line.

By
Kevin R. Spivak

Registration No.: 43,148
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7762 – Telephone